REMARKS

Applicant respectfully requests reconsideration of the application.

Applicant acknowledges with appreciation the allowance of claims 5, 8, 9, 14 and 17-23.

Claims 1, 6, 10, 11 and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 5,621,864 to Benade et al. ("Benade").

Claims 2, 3, 4, 7, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benade in view of U.S. Patent No. 5,606,609 to Houser et al. ("Houser").

Missing IDS

Applicant submitted an IDS on May 24, 2004 and the Office stamped the postcard accompanying this IDS as received on June 4, 2004. However, the PAIR system appears to show that this IDS was not entered, and the last Action did not include an indication that it had been considered. Therefore, Applicant has resubmitted a copy of the IDS, 1449 form and references (non-US Patent), and requests that the Examiner consider them.

102 Rejections based on Benade

Claim 1

The Office appears to contend that a UPC code in Benade corresponds to the claimed object identifier. Further, the Office appears to contend that a printed bar code conveying this UPC code corresponds to the claimed machine readable signal carrier. Finally, the Office appears to contend that "printing" corresponds to a "machine behavior to be associated with a physical object via an object identifier" as claimed.

In order to anticipate claim 1 based on the above assumptions, Benade would have to disclose a database management system that is operable to receive object identifiers (e.g., UPC codes) and in response, to initiate the machine behavior or behaviors (e.g., printing) associated with the object identifiers. However, Benade's system does not initiate such behavior in response to receiving an object identifier as claimed. In particular, Benade does not teach a database management system that is operable to receive an object identifier and in response, initiate printing that has been associated with that particular object identifier. Therefore, Applicant submits that Benade does not teach all of the elements of claim 1.

Applicant's response is based on its best understanding of the Office's position. However, it

2

is possible that the Applicant has misunderstood the Office's position. Therefore, Applicant requests the Examiner to call the undersigned to conduct a phone interview. Further clarification of the Office's position or the claim language will likely expedite the handling of the application because it will assist the Applicant in making an appropriate response.

Claim 6

Claim 6 is patentable over Benade for at least the reasons provided for claim 1.

Claim 10

To the extent that the Office's interpretation of Benade is understood, Benade does not disclose "the database is operable to initiate the behavior in response to receiving an object identifier decoded from machine readable code on the physical object" in combination with the elements of claim 10. The Office rejected claim 10 on similar rationale as claim 1. Claim 10 differs from claim 1 in some respects. For example, in claim 10, a database initiates the behavior in response to receiving an object identifier **decoded from machine readable code on the physical object** [emphasis added in bold]. Assuming the Office's interpretation of Benade, it would have to disclose initiating a "printing" behavior in response to receiving the decoded identifier. However, Benade fails to disclose initiating a behavior in response to an object identifier decoded from a machine readable code as claimed. In particular under the Office's interpretation, Benade does not teach a database that initiates printing in response to receiving a UPC code decoded from a bar code.

Benade does not teach all of the elements of claim 10, and therefore, does not anticipate this claim.

Claim 15 is patentable over Benade for the same reasons as claim 10.

Claim 11

Claim 11 is patentable over Benade for at least the reasons provided for claim 10.

103 Rejections Based on combination of Benade and Houser

Claim 2

Applicant respectfully disagrees that Houser's general reference to computer networks at col.

1, lines 24-32 teaches the claimed network interface that enables users to associate behaviors with object identifiers from remote client computers.

Further, Benade does not disclose all of the elements of claim 1, and the combination of Benade and Houser do not teach all of the elements of claim 2 because Houser does not disclose or teach the elements of claim 1 that Benade lacks.

Claim 3

In rejecting claim 3, the Office appears to equate Houser's embedded security object with the claimed watermark. However, Houser's embedded security object is not embedded by "altering signals that are to form part of the objects to embed the object identifiers in the signals" as claimed. Houser's security object is inserted in a file using object embedding and linking technology. See Houser at col 11, line 51 to col. 12 line 11. This object embedding and linking technology does not alter signals to embed identifiers in the signals as claimed.

Claim 4

Houser does not disclose a watermarked sticker or even a watermarked label (plastic object) at col. 13, line 65 – col. 14, line 32. Applicant has reviewed this passage and does not see any reference to a "plastic object", so the Office's rejection is not understood.

Claim 7

Claim 7 is dependent on claim 6, which is dependent on claim 1. Claim 1 recites a physical object. Therefore, the watermark of claim 7 is embedded into a physical object. In contrast, Houser's security object is inserted in an electronic file, such as a text file, using object embedding and linking technology (OLE) from Microsoft Corporation. See Houser at col 11, line 51 to col. 12 line 11. The object embedding technology referred to in Houser has no relevance when applied to physical objects because it cannot be used to embed information in physical objects.

Claim 12

As noted for claim 7, Houser's security object is not a watermark embedded in a physical object as claimed. The combined teachings of Houser and Benade fail to teach all of the elements of claim 12.

Claim 13

Houser fails to teach decoding a watermark from a physical object as claimed. The combined teachings of Houser and Benade fail to teach all of the elements of claim 13.

Concluding Remarks

The claims are patentable over the cited art for the reasons provided above. As noted, the Applicant respectfully requests a Telephone Interview with the Examiner to discuss the Action and this response. Please call the undersigned Attorney for Applicant at 503-469-4655.

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Respectfully submitted,

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